

Austin Texas January 18, 1886.

Wm. J. W. Robertson, Mayor, presiding.
Roll Call - Present:

Present

Aldermen Pillow, Anderson, Campbell, Schuber, Northam, Cull, Carwin, DeGress, Cummings, Erwin and Walker - 11.

Absent - Aldermen Schneider, Metz, Brush, Warren, Crocker and Helman - 6.

Minutes adopted

On motion of Alderman Anderson the minutes of the meeting of January 4, were adopted as printed.

Canvass returns of 4th & 5th Wards

On motion of Alderman Pillow a Committee of three Aldermen was appointed to Canvass the returns of the special elections held in the 4th and 5th wards, January 5, 1886, and the 10th, Ward January 18, 1886, to fill vacancies existing in the board of Aldermen from said wards.

The following named Aldermen were appointed as such Committee: DeGress, Anderson, and Campbell; (Alderman Metz came in.)

Returns 5th Ward not signed no tally sheet

Alderman DeGress rose and reported that the returns of the 5th ward were not officially signed, and that no tally sheet accompanied the same.

5th Ward Box opened

Alderman Pillow moved that the ballot box of the 5th Ward be brought into the Council Chamber and opened by the Committee, and that one tally sheet be taken out. Adopted.

The Committee complied with the motion, resealed the box and counted the votes cast for Aldermen in said wards, and reported verbally the following result:

Result

Votes Cast in the 4th Ward-

C. G. Caldwell 81

Jno W. Kelly 56

Caldwells majority 35

Votes Cast in 5th Ward-

August Giesen 57

H. E. Shelley 49

Dmy P. De Cordova 19

Giesen's plurality 8

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Votes Cast in 10th Ward

F. E. Jones	173
Herman Schmidt	90
Scotting	7
	<hr/>
Jones plurality	83

His Honor Mayor Robertson, declared the following named persons duly elected aldermen of their respective wards:

Caldwell, Giesen
+ Jones declared
elected

C. G. Caldwell 4th Ward.
August Giesen 5th Ward.
F. E. Jones 10th Ward.

On motion the Committee was discharged.

Aldermen Schneider, Brush, Warren and Crooker came in.

Sworn in A motion was made, adopted and complied with requesting the newly elected aldermen to come forward and be sworn in.

Petition Citizens
7th & 8th wards water
trough

Petition of Citizens of the 7th and 8th wards, asking for an iron trough at the corner of Waller and Mesquite streets in place of the wooden one now a nuisance was read.

Alderman DeGress presented the following resolution which was adopted:

Resolution
locating water
trough on DeGress
line

Resolved, That the City Engineer of the City of Austin is hereby directed to place an iron water trough at corner of Mesquite and Waller streets in place of the wooden trough now in use.

Claim Jack Goodman
petition citizens
4th & 5th wards for
lamp

A claim of Jack Goodman for \$46 for services as detective, was presented and referred to police Committee.

Alderman Warren presented a petition of the citizens of the 4th and 5th wards asking for location of a street lamp at the intersection of Colorado street and North avenue. Referred to water and Gas Committee.

Petition E. C.
Bartholomew

A petition by E. C. Bartholomew, approved by L. M. Crooker and J. P. Schneider, Fire Committee; S. W. French Chief A. F. Dept. Wm Von Rosenberg, asst Chief A. F. Dept.; A. Giesen, Recorder A. F. Dept.; Jos A. Nagle, foreman W. F. Co No. 1; S. N. Marley, foreman C. F. Co. No. 2; W. H. Salge, foreman A. H. & L. Co. No. 1; R. F. Smith, foreman P. H. & L. Co. No. 3; asking permission to place a tin roof on the one

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Story house on lot 6, block 123, City of Austin.

On motion the petition was granted.

Petition remove
obstruction

Alderman Erwin presented a petition of citizens of the ninth ward asking that an obstruction placed in the alley running east and west in block No 63 be removed at once.

A motion was made and adopted instructing the City engineer to remove the obstruction and open the alley.

Petition M. H. White

A petition by M. H. White, asking for an increase of pay while in the employ of the City as special detective, was presented and referred to police Committee.

C. F. Hill to
sell Cemetery

A proposition by C. F. Hill, agent, to sell 98 acres to the City for Cemetery purposes, was presented and referred to Cemetery Committee.

Petition Geo
Hulse.

Alderman Walker presented a bill in favor of Geo Hulse for an increase of \$2.50 per day for use of store house as election place December 7, 1885 and January 18, 1886. Laid Over.

The following report was presented and read:

Austin, Texas., Jan. 15, 1886.

To the Hon. City Council:

Of the River
Walk

Gentlemen - The Communication of Hon. S. H. Darden, Superintendent of public buildings, etc., of the State of Texas, addressed to Alderman W. B. Walker, complaining of the action of the City Council in granting to Oly and Wright the privilege of erecting a house on the River Walk, has been handed to me. At the request of Mr Walker I called on the attorney general to ascertain what action the State proposed to take to make good its assertion of title to the property in dispute. He was just on the eve of leaving the City, and informed me that he had not found time to investigate the questions involved, but would do so on his return. When he shall have acted and advised the Superintendent of public buildings, I will communicate to the City Council my views as to the powers of the City in regard to the use of the River Walk, I would do so now, but understand from Mr Walker that he desired me to first

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ascertain what the attorney general advised in the premises.

Very Respectfully

Geo. F. Penderter.

City attorney.

The following report was presented:

Austin, Jan. 12, 1886.

City Atty. about

A. M. C. Nixon claim

To the Honorable City Council:

Gentlemen - I beg to call your attention to the case of A. M. C. Nixon vs. the City of Austin pending in the County Court. This suit is based upon a claim made by Mr. Nixon for \$213, being the value, as he alleges, of plans, drawings, specifications and estimates made by him under a resolution of the City Council, a copy of which I hereto attach.

I do not believe that the City will be able to defeat a recovery of the full amount claimed, and as that seems to be about the only question involved, it appears to me that it would be to the interest of the City to effect a compromise. I am informed by Mr. Nixon that he is willing to take \$175 in satisfaction of his demand, and unless there exists some reason of which I am not advised why this claim should not be paid, I would advise a settlement at that figure.

Very Respectfully

Geo. F. Penderter.

City Attorney.

On motion of Alderman DeGress the report was referred to the finance committee with instructions and power to compromise and make a final settlement of the claim, and that they report to the next regular meeting of the City Council.

Verbal report

on petition of M.

Wilson

Alderman Schuber, for street committee reported verbally on petition of J. M. Wilson and associates for right of way to build a street railway. Laid over till later in the session by motion of Alderman DeGress.

Source on

printing report

The following report was presented by Alderman Walker: Austin, Jan. 18, 1886.

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To the Hon. Mayor and Board of Aldermen:
Gentlemen-

Printing Comtee
report.

Your Committee on printing would say we have examined the accounts of the five newspapers of the City for printing and publishing the report of the Mayor on the Condition of the City during his last administration, and find them much above what they could have been contracted for before publishing.

At our earnest solicitation two have reduced their accounts, the Statesman from \$196.20 to \$150.00 the Austin Citizen from \$100.00 to \$78.48, which we have approved.

We also approved the accounts of the two German papers for \$76.00 each, as they had to translate from English to German. The Dispatch refused to reduce their account, saying they would sue the City if not paid. We did not approve the account of the Dispatch, but ask instructions from the Council what disposition will be made of it.

Respectfully Submitted
W. B. Walker.
B. S. Pillow.

Approve Dispatch
bill

A motion was made and adopted requesting the printing Committee to approve the account of the Dispatch.

Comtee report
on marshal's
Dec. report

Report of police Committee on the City marshal's report from December 1st to 21st, 1885, inclusive:

Hon J. W. Robertson:

Sir- your Committee on police to whom was referred the within report, have examined the same and find the same correct.

Respectfully,

J. P. Schneider,
C. E. Anderson,
C. S. Metz.

The report was adopted.

Comtee on
claim of W. M.
Darnwell

Report of police Committee on the claim of W. M. Darnwell for \$250 reward for the arrest of Jack Combs: Hon J. W. Robertson: Sir- your

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Committee on police to whom was referred the within petition of W. M. Darnwell recommend that the same be not allowed.

Respectfully

J. P. Schneider,

C. E. Anderson,

C. S. Metz

The report was adopted.

Report of police Committee on Claim for \$250 for arrest of Jack Comas:

Hon. J. W. Robertson:

Sir - your Committee on police to

Wm F Luckie
Claim

whom was referred the within petition of Wm F. Luckie recommend the same be not allowed.

Respectfully,

J. P. Schneider,

C. E. Anderson,

C. S. Metz

The report was adopted.

The following report was presented by Alderman Wortham:

Austin, Jan. 18, 1886.

To the Hon. Mayor and City Council:

Ord. Committee

report on petition

suppress gaming

&c &c.

Your Committee on Ordinances, to whom was referred a petition by Citizens asking the suppression of gambling and bawdy houses and regulation of Saloons, beg to report that we have had the same under consideration, and find in existence an ordinance for the suppression of gambling and other games of Chance, but which, because of unconformity to the State laws and rulings of the higher Courts, is inoperative.

This Ordinance is substantially the same as the State gambling law, excepting the penalty is lower, and therefore cannot be made to hold.

We also find an Ordinance forbidding the sale of liquor or other intoxicating drinks to minors, habitual drunkards, or any one within the Proletarian age.

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Also Ordinance defining disorderly houses and providing for the prosecution and punishment of the keepers of such houses.

Also an Ordinance making professional gamblers and prostitutes vagrants, and providing for finingsame. Also an Ordinance requiring all Saloons to close at 12 o'clock at night, and penalty for violation. As the Ordinances are soon to be Codified and submitted to the Council for adoption, your Committee would recommend that the Codifier be and is hereby instructed to remove all conflicts of the City Ordinances with the State laws, by making the penalties of the Ordinances conform to the penalties of the State laws and rulings of the higher Courts.

And your Committee would also suggest that the City marshal be and is hereby requested to report, in writing, to the Mayor and City Council, at any time, in what respect, if any, the present City Ordinances are inadequate to the peace, quiet and good government of the City.

We are of the opinion that when the Ordinances now in existence are made to agree in fines and punishment, with the State laws, and the same strictly enforced, the ends sought by petitioners will be accomplished.

All of which is respectfully submitted.

W. B. Northam.

J. J. Campbell.

J. C. DeGress.

Ordinance Committee.

The report was adopted.

Alderman Cummings offered the following resolution.

Resolution
to locate
gas pipes etc

Resolved 1st That the Mayor appoint a special Committee of five Aldermen, whose duty it shall be to ascertain on what streets gas pipes are now located, and on what streets they deem it necessary that additional pipes be laid for the purpose of establishing street lamps for the convenience

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and protection of the people of this City
 2d. That this Committee is further authorized to Confer with the Austin Gaslight and Coal Co. and Capital Gas Co. regarding the laying of additional pipes, and report to the City Council at the next meeting whether either of said Companies, or both are prepared and willing to lay said pipes, together with the furnishing of such lamps as may be required to meet the present demands of the City.

3d. That said Committee, by proper consultation with the Aldermen of the different wards and the Citizens, determine the number and location of the various lamps that may be obtained under contemplated agreement with said Companies, and so report to the City Council.

Alderman De Gress moved to adopt the resolution.
 Carried.

apl Comtee The following named aldermen were appointed as the Special Committee.

Cummings, Northam, Anderson, Caldwell and Walker.

Alderman Pillow presented the following resolution:

Locate water mains

Resolved, 1st. That the Mayor appoint a special Committee of three aldermen, whose duty it shall be to ascertain on what streets water mains are now placed, and on what streets they deem it necessary that additional mains be laid for the purpose of erecting fire hydrants for the protection of the property of Citizens of this City.

2nd. That this Committee be directed to Confer with the aldermen of the several wards and determine the number and location of hydrants necessary to provide adequate protection to property, and report to this Council at its next meeting.

Amended.

Alderman Warren moved to amend section one by striking out "three" and inserting "five," etc.
 Adopted.

Referred to Same Comtee

Alderman Cummings moved that the resolution be referred to the special committee appointed

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under his resolution to investigate the laying of additional gas pipes, etc. Adopted

Resolution
repair ditch

Alderman Wartham submitted to the Council the following resolution:

Resolved, That the City Engineer be instructed to examine the ditch running through the City Cemetery, and, if in need of repairs, report to the City Council at its next regular meeting what such repairs will cost. Adopted.

Water bill
referred.

A bill against the City of Austin, in favor of the City Water Co. for \$2,463.33 for water used by the City was presented and referred to the Water and Gas Committee.

Repeal Spl
Police Ord.

Alderman Odell offered the following Ordinance: An Ordinance repealing an Ordinance passed Dec. 25, 1885, authorizing the appointment of thirty additional policemen.

Be it ordained by the City Council of the City of Austin:

Section 1. That the ordinance authorizing the appointment of thirty additional policemen, passed Dec. 25, 1885, and approved Dec. 25, 1885, be and the same is hereby repealed.

Sec. 2. That this Ordinance take effect and be in force from and after its passage.

Alderman Cummings moved to suspend the rule and place the Ordinance on its second reading.

The motion prevailed by the following vote: Yeas - Schneider, Metz, Anderson, Brush, Campbell, Schuber, Gessen, Warren, Wartham, Odell, Crocker, Erwin, DeGress, Cummings, Irwin, Walker and Jones - 17.

Nay - Caldwell - 1.

To table

Alderman Anderson moved to lay the Ordinance on the table.

To lie on
table

Alderman DeGress moved to let the Ordinance lie on the table subject to Call. Lost.

Tabled

Alderman Anderson's motion to table the Ordinance was adopted.

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Alderman Odell offered the following Ordinance:

Ord. to pay
Jan. roll.
& approved
Claims.

An Ordinance making an appropriation for the pay roll of the City for the month of Jan. 1886, and for the payment of approved Claims.

Sec. 1. Be it Ordained by the City Council of the City of Austin, That the sum of dollars, or so much thereof as may be necessary be and the same is hereby appropriated out of any moneys in the City treasury, not otherwise appropriated, for the pay roll of the City for the month of Jan. 1886, and for the payment of approved Claims. The ordinance was read and a motion made to suspend the rules and place the Ordinance on its second reading was adopted by the following vote: Yeas Schneider, Metz, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell Giesen, Warren, Northam, Crooker, Odell, Corwin, DeGress, Cummings, Erwin Walker and Jones 19.

Amended.

The Ordinance was then read by sections. Alderman Odell moved to amend Section One by adding, for Daily Dispatch \$100, adopted.

Amended.

Alderman Walker moved to amend Section One by striking out "ten" dollars for paying judges of election and room rent in the tenth ward, Dec., 7th 1885 and Jan. 18, 1886, and inserting \$7.50, adopted.

Amended.

Alderman Giesen moved to amend Section One by adding \$100 for the months of Nov. and Dec. to each of the following bills: Austin H & L Co. No. 1, Washington St. F. E. Co. No. 1 Protection H & L Co. No. 3, and Colorado St Fire E. Co. No. 2. Adopted.

Caption

No objection being made, the sum of \$13,422.99 was inserted in the blank space in the Caption.

Passed

On motion the rules were further suspended and the Ordinance placed on its third reading and final passage, and passed as amended by the following vote: Yeas Schneider, Metz, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Northam, Crooker, Odell, Corwin, DeGress,

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Cummings, Ervin, Walker and Jones-19.
Alderman Campbell presented the following resolution:

Power to diminish no. Spl. police

Be it resolved by the City Council of the City of Austin, That the mayor and marshal of the City of Austin, shall, whenever in their opinion the public welfare demands it, drop the special policemen from the roll until the force is reduced to the regular standard.

Amended

Alderman DeGress offered the following proviso: Provided that all special policemen be dropped by February 15th.

Tabled amend.

On motion the proviso was tabled and the original resolution adopted.

Original adopted

The following ordinance was presented by Alderman Ervin:

\$1000. to enclose Cemetery.

An Ordinance appropriating one thousand dollars for the purpose of enclosing the City Cemetery.

Be it Ordained by the City Council of the City of Austin:

Sec. 1. The sum of one thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of any money in the City treasury not otherwise appropriated, for the purpose of enclosing the Cemetery with a good and substantial fence.

Sec. 2 This Ordinance shall take effect and be in force from and after its passage.

Alderman DeGress moved a suspension of the rules to place the ordinance on its second reading.

Adopted by the following vote: Yeas - Schneider, Metz, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Northam, Crocker, Odell, Corwin, DeGress, Cummings, Ervin, Walker and Jones - 19.

amended

Alderman Odell suggested that section 1 be changed to read out of the "Cemetery fund", instead of out of "any money" etc. No objection being raised the change was made.

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amended

Alderman Campbell moved to amend Section 1 by adding "The Cemetery Committee shall prepare plans and advertise for bids".

The amendment was adopted.

Passed

On motion, the rules were further suspended, and the Ordinance placed on its third reading and final passage, and passed as amended by the following Vote:

Yeas - Schneider, Metz, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Northam, Crooker, Odell, Corwin, DeGress, Cummings, Ervin, Walker and Jones - 19.

Business hours
for saloons

Alderman Walker submitted an ordinance making it a misdemeanor to keep open a saloon, barroom, or place where intoxicating liquors are sold, or kept for sale later than twelve o'clock at night.

A motion to suspend the rules and place the Ordinance on its second reading was made and adopted by the following Vote:

Yeas - Schneider, Metz, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Northam, Crooker, Odell, Corwin, DeGress, Cummings, Ervin, Walker and Jones - 19.

The Ordinance being read a second time

amended

Alderman Walker moved to amend the Caption and Section 1 after the word night to read "or to open the same earlier than five o'clock a.m."

The amendments were accepted.

Passed.

On motion, the rules were further suspended and the Ordinance placed on its third reading and final passage, and passed as amended by the following Vote: Yeas - Schneider, Metz, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Northam, Crooker, Odell, Corwin, DeGress, Cummings, Ervin, Walker and Jones - 19.

Ord. grade
Mesquite St.

Alderman DeGress presented an ordinance providing for the grading and putting in proper condition of Mesquite Street.

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- Referred to
Committee. Alderman Warren moved to refer the Ordinance to the Street Committee. The motion was adopted by the following vote
Yeas Schneider, Metz, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Northam, Crooker, Odell, Walker and Jones - 15.
Nays Corwin, DeGress, Cummings, and Erwin - 4.
- "Stand" for
Wagons etc Alderman DeGress presented an Ordinance designating a "stand" for vending of wood, hay and poultry brought to this City on wagons.
- Suspend rules
defeated Alderman DeGress moved to Suspend the rules and place the Ordinance on its second reading. The motion was defeated by the following vote:
Yeas - Schneider, Metz, Pillow, Brush, Northam, Crooker, Odell, Corwin, DeGress, Cummings, Erwin, Walker and Jones - 13.
Nays - Anderson, Campbell, Giesen, Schuber, Caldwell and Warren - 6.
- Right of Way
to D. M. Wilson
& others Alderman Pillow introduced an Ordinance granting the right of way over the streets of the City of Austin to D. M. Wilson, Joseph Kalle and others, for the purpose of Constructing and operating a line of street railway. The Ordinance was read. Alderman Pillow moved to suspend the rules and place the Ordinance on its second reading. Adopted by the following vote: Yeas - Schneider, Metz, Pillow, Anderson, Brush, Campbell, Caldwell, Schuber, Giesen, Warren, Northam, Crooker, Odell, Corwin, DeGress, Cummings, Erwin, Walker and Jones - 19.
- Print + postpone
defeated. Alderman Campbell moved to have the Ordinance printed and postponed till next meeting. On motion of Alderman DeGress, the motion to postpone and print was defeated. Alderman Schuber moved to postpone consideration of the Ordinance till next meeting. The motion was adopted by the following vote - yeas Schneider, Metz, Campbell, Schuber, Caldwell, Giesen, Warren, Carried

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Wortham, Crocker, Odell - 10.

Nays Pillow, Anderson, Brush, Erwin, DeGress,
Cummings, Ervin, Walker and Jones - 9.

Reconsider Vote Alderman Caldwell moved a reconsideration of the
to suspend rules Vote by which the Council refused to suspend the
rules and place on its second reading the ordinance
submitted by alderman DeGress designating a
"stand" for vendors of wood, hay, poultry etc.

Motion to A motion to adjourn was made and defeated, and
adjourn the motion to reconsider was adopted by a rising
Vote of 12 to 7.

Motion reconsider The motion to suspend the rules and place
Vote to suspend the ordinance on its section reading was then
defeated by the same vote by which it was
defeated when this motion was first voted on.
On motion, the Council adjourned.

Milton Morris
City Clerk.